

A CERTIFIED TRUE COPY

ATTEST

By Darion Payne on Jan 22, 2010

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Jan 07, 2010

FILED  
CLERK'S OFFICE

IN RE: ZICAM COLD REMEDY MARKETING,  
SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION

MDL No. 2096

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-4)

<input checked="checked" type="checkbox"/>	FILED	<input type="checkbox"/>	LODGED
<input type="checkbox"/>	RECEIVED	<input type="checkbox"/>	COPY
JAN 22 2010			
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA			
BY _____		DEPUTY	

On October 9, 2009, the Panel transferred eight civil actions to the United States District Court for the District of Arizona for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See \_\_\_ F.Supp. 2d \_\_\_ (J.P.M.L. 2009). Since that time, 28 additional actions have been transferred to the District of Arizona. With the consent of that court, all such actions have been assigned to the Honorable Frederick J. Martone.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Arizona and assigned to Judge Martone.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Arizona for the reasons stated in the order of October 9, 2009, and, with the consent of that court, assigned to the Honorable Frederick J. Martone.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Arizona. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

Jan 22, 2010

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

I hereby attest and certify on 1.22.10  
that the foregoing document is a full, true and correct  
copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT  
DISTRICT OF ARIZONA

**IN RE: ZICAM COLD REMEDY MARKETING,  
SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

MDL No. 2096

**SCHEDULE CTO-4 - TAG-ALONG ACTIONS**

<u><b>DIST. DIV. C.A. #</b></u>	<u><b>CASE CAPTION</b></u>
<b>CALIFORNIA NORTHERN</b>	
CAN 3 09-5512	Andrew R. Neilson v. Matrixx Initiatives, Inc., et al.
<b>FLORIDA SOUTHERN</b>	
FLS 0 09-61848	Lana Eichel v. Matrixx Initiatives, Inc.
FLS 1 09-23735	Sharon Davis, et al. v. Matrixx Initiatives, Inc., et al.
<b>HAWAII</b>	
HI 1 09-604	Mark Kwiatkowski v. Matrixx Initiatives, Inc., et al.
HI 1 09-607	Tamela Wilcox v. Matrixx Initiatives, Inc., et al.
<b>IDAHO</b>	
ID 2 09-624	Mumtaz A. Fargo v. Matrixx Initiatives, Inc., et al.
<b>ILLINOIS NORTHERN</b>	
ILN 1 09-7225	Brandon Webb, et al. v. Matrixx Initiatives, Inc., et al.
<b>MINNESOTA</b>	
MN 0 09-3207	Quint Bridenstine v. Matrixx Initiatives, Inc., et al.
<b>NEW YORK EASTERN</b>	
NYE 2 09-5268	Marianne Woods, et al. v. Matrixx Initiatives, Inc., et al.
<b>TENNESSEE EASTERN</b>	
TNE 3 09-536	William J. Reich v. Matrixx Initiatives, Inc., et al.
<b>TEXAS SOUTHERN</b>	
TXS 4 09-3682	Johnny Mikolas v. Matrixx Initiatives, Inc., et al.